

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

JOEL CLEARY, M.D., individually  
and on behalf of all others similarly  
situated,

Plaintiffs,

vs.

RETIREMENT PLAN FOR  
EMPLOYEES OF NORTHERN  
MONTANA HOSPITAL, et al.,

Defendants.

**CV-16-61-GF-BMM-JTJ**

**ORDER**

Plaintiff filed a motion for recusal (Doc. 171) asking Magistrate Judge Jeremiah C. Lynch to recuse himself from consideration of the Plaintiff's Motion for an Award of Attorney's Fees, Costs and Expenses (Doc. 166). The reasoning in this motion is well-taken and unopposed.

**IT IS HEREBY ORDERED** that the Court hereby **GRANTS** the motion (Doc. 171) and further **ORDERS** the motion for attorney fees (Doc. 166) to be

referred to Magistrate Judge John T. Johnston pursuant to 28 U.S.C. § 636 (b)(1)(B).

**IT IS ALSO ORDERED** that Magistrate Judge John Johnston will conduct a hearing on Plaintiff's Motion for an Award of Attorney's Fees, Costs and Expenses, Doc. 166, on **Tuesday, January 15, 2019 at 2:00 p.m.** at the Missouri River Federal Courthouse, Great Falls, Montana.

DATED this 6th day of December, 2018.



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Brian Morris  
United States District Court Judge